

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BOARDS OF TRUSTEES OF OHIO :
LABORERS' FRINGE BENEFIT PROGRAMS, :
Plaintiff, :
v. : Case No. **C2-10-CV-0406**
DAN-RAY CONSTRUCTION, LLC, et al., : JUDGE ALGENON L. MARBLEY
Defendants. : Magistrate Judge King

**ORDER CANCELING ORAL ARGUMENT
ON MOTION FOR SUMMARY JUDGMENT**

Upon consideration that the only remaining disputed issue of fact to be decided in this action is the reasonableness of the attorney's fees requested, and that issue being fully briefed by the parties, the Court will decide Plaintiff's Motion for Summary Judgment on the pleadings. The previously scheduled oral argument for **November 10, 2011**, at 9:00 a.m. is hereby **CANCELED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Court Judge

DATED: November 7, 2011